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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,919	07/09/2003	Sukesh Patel	ASHOP103US	4224

23623 7590 12/08/2006

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EXAMINER

JONES, HUGH M

ART UNIT PAPER NUMBER

2128

DATE MAILED: 12/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

### Non-Responsive Amendment

1. Applicant's reply filed 10/27/2006 is non-responsive.
2. Applicant's response to the 112(1) rejection is nonresponsive. Applicants allege:

However, the specification is replete with disclosure of simulations, canonical models, and predictive models, including numerous specifics as to the relationships to inputs, outputs, settings, various interactions and process parameters, and otherwise a sufficient description to enable one skilled in the art to practice the invention. For at least the above reasons, this rejection should be withdrawn.

The rejection will be traversed when Applicants demonstrate enabling support for the model by referring to the specification and/or, at the least, a persuasive argument.

3. Applicant's response to the 112(2) rejection is nonresponsive. Applicants allege that the claims have been amended to traverse the rejections. However, claim 1 has not been amended to overcome the 112(2) rejection and Applicants has made no argument. The Examiner is well aware of the typo in the statement of the rejection, and apologizes for the oversight. Applicants did not call the Examiner for clarification. Full faith and credit is given that Applicants read the entire page. Therefore, a response was clearly required. The portion is repeated:

"The preamble of claim 1 recites "verifying and/or validating". This is ambiguous. The language indicates three possible claims, and is not standard US claim construction."

Respectfully, these represent three different inventions.

4. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment.

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**5. Any inquiry concerning this communication or earlier communications from the examiner should be:**

directed to: Dr. Hugh Jones telephone number (571) 272-3781,

Monday-Thursday 0830 to 0700 ET,

*or*

the examiner's supervisor, Kamini Shah, telephone number (571) 272-2279.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist, telephone number (703) 305-3900.

**mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 308-9051 (for formal communications intended for entry)

*or* (703) 308-1396 (for informal or draft communications, please label *PROPOSED* or *DRAFT*).

Dr. Hugh Jones

Primary Patent Examiner

December 2, 2006

HUGH JONES Ph.D.  
PRIMARY PATENT EXAMINER  
TECHNOLOGY CENTER 2100